

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DANIEL OSWALD,

Petitioner

v.

Case No. 11-C-671

MICHAEL DITTMAN,

Respondent.

ORDER

Petitioner Daniel Oswald has filed a petition seeking habeas corpus relief under 28 U.S.C. § 2254. According to the petition, one week prior to filing this action he filed a motion in state court under Wis. Stat. § 974.06. That action was still pending at the time this petition was filed. The state action appears to raise the same grounds that are raised in this petition, and accordingly it appears that the issues raised here are not yet ripe for review.

Although it is not perfectly clear from the petition, it appears that the one-year deadline under 28 U.S.C. § 2244(d) may be close to expiration. Therefore, to avoid the possibility that the petition will be barred by the statute of limitations, I will stay the petition rather than dismiss it. Petitioner is directed to inform the Court when his claims have been fully exhausted in the state courts. This action is **STAYED** pending exhaustion of claims in state court.

SO ORDERED this 5th day of October, 2011.

s/ William C. Griesbach
William C. Griesbach
United States District Judge